



501001-A-01-US (Singh)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): N. Singh et al.
Case: 501001-A-01-US (Singh)
Serial No.: 09/924,983
Filing Date: August 8, 2001
Group: 2114
Examiner: Bryce P. Bonzo

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: [Signature] Date: February 4, 2005

Title: Fault Tolerance Software System with Periodic
External Self-Test Failure Detection

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The remarks below are submitted in response to the final Office Action dated November 4, 2004 in the above-identified application. A Notice of Appeal is submitted concurrently herewith.

REMARKS

The present application was filed on August 8, 2001, with claims 1-18. Claims 1-18 are currently pending in the application. Claims 1, 17 and 18 are independent claims.

Claims 1-4, 6-9 and 14-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,901,315 to Edwards et al. (hereinafter "Edwards").

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Edwards.

Claims 10-13 are indicated as containing allowable subject matter.

In this response, Applicants traverse the §102(b) and §103(a) rejections, and respectfully request reconsideration of the application.

With regard to the §102(b) rejection, Applicants initially note that MPEP §2131 specifies that a given claim is anticipated "only if each and every element as set forth in the claim is found, either